

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

**IN THE MATTER OF THE CRIMINAL
COMPLAINT IN UNITED STATES v.
DUSTIN SCHAUD FOX**

3:17-MJ- 1106

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and, being duly sworn, depose and state the following:

1. I make this affidavit in support of a criminal complaint and arrest warrant for DUSTIN SCHAUD FOX (hereinafter "FOX") for whom there is probable cause to believe used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing or having reason to know that the visual depiction would be transmitted in or affecting interstate commerce, in violation of 18 U.S.C. § 2251(a).

2. I have been employed as a Special Agent of HSI since 1995, and am currently assigned to the Office of the Resident Agent in Charge, Knoxville, Tennessee. While employed by HSI, I have investigated federal criminal violations related to high technology or cybercrime, child exploitation, and child pornography. I have gained experience through training at the Federal Law Enforcement Training Center and everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I have conducted, coordinated, and/or participated in numerous investigations relating to the sexual exploitation of children. I have participated in the execution of numerous search warrant

by HSI, as well as state and local police departments, and have participated in numerous seizures of computer systems and other evidence involving child exploitation and/or child pornography offenses. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251, 2252, and 2252A, and I am authorized by law to request an arrest warrant.

3. The information contained within the affidavit is based upon information I have gained from my investigation, my personal observations, my training and experience, and/or information related to me by other law enforcement officers and/or agents. Because this affidavit is being submitted for the limited purpose of a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning the investigation. I have set forth only the facts which I believe are necessary to establish probable cause to believe FOX has violated 18 U.S.C. § 2251(a).

THE INVESTIGATION

4. On November 27, 2017, Knoxville Police Department Internet Crimes against Children Investigator John Williams received a referral from the Waxahachie, Texas, Police Department that involved the online solicitation of a minor by an adult to produce visual depictions of a minor engaged in sexually explicit conduct. The minor victim has been given the pseudonym of "Cindy." The information ^{from me} Williams indicated that the solicitation began when the minor was 14 years of age and continued until recently. The minor is now 16 years of age. The suspect is Dustin Schaud Fox, 27-year-old white male residing in Knox County, Tennessee.

INFORMATION PROVIDED BY VICTIM'S MOTHER

5. Cindy's mother, Teresa H*****, provided details to the Waxahachie Police Department on September 28, 2017 regarding the solicitation to produce child pornography, as described below:

- a. Cindy first met FOX by clicking on a link on Facebook that directed her to an adult chat room when she was 14 years old. Communication then started between Cindy and FOX and a short time later FOX began sending photos to Cindy. Teresa advised that the photos were innocent at first, but turned into sexually explicit material after some time.
- b. FOX would send images and then ask Cindy to send some images in return. FOX then started asking Cindy to pose nude for him on her web camera. FOX then started attempting to make Cindy believe that the two of them were in love and made her believe that she needed to gain his approval.
- c. FOX then began to set up video chat rooms, so he could invite other friends of his and watch Cindy pose nude online. FOX said that, instead of watching "Monday Night Football," they were watching "Monday Night Cindy."
- d. Teresa advised that FOX had convinced Cindy that the two of them were in love and were going to get married. At some point, FOX asked Cindy to drop out of school and come live with him in Tennessee. FOX also instructed Cindy how to hide her online profiles, messages, and photographs. FOX also showed Cindy how to delete items off her computer and not get caught. Teresa had set up parental controls for Cindy, but FOX had taught her how to get past those as well. FOX directed Cindy to create several different accounts to communicate with FOX as well. FOX also had Cindy send FOX photos of Cindy's house, her room and Teresa's room.
- e. FOX then asked Cindy to send explicit photos to some of Cindy's friends. Cindy then sent photos of herself to three of her male classmates. A female friend of Cindy's found out that Cindy had sent the photos of herself, and told the friend's parents. The friend's parents then notified the school principal, who then notified Teresa.

FORENSIC INTERVIEW OF VICTIM

6. Detectives with the Waxahachie Police Department scheduled a forensic interview with Cindy for October 2017 and Cindy provided the following information to the interviewers:

- a. When Cindy was 14 years of age, Cindy first met FOX by clicking on a link on Facebook that directed her to a chatroom she "met" FOX online.
- b. Cindy and FOX began communicating on the chat site and then Cindy shared her Facebook profile with FOX. Based on images of FOX that Cindy observed, she described FOX as a 26-year-old, short, fat boy.
- c. As they started communicating online more, FOX shared with Cindy that he was sadistic, and Cindy started becoming afraid of FOX.
- d. FOX told Cindy that he liked to "beat people up" and he would "beat her up" if he saw Cindy in real life. Cindy explained that their relationship kept getting deeper and deeper and she was afraid to end her relationship with FOX. Cindy explained that she relied on the attention from FOX since she was only 14 at the time when all of this started.
- e. At one point, Cindy confided in FOX that she liked another guy. FOX got angry and said that he was going to kill his dog and kill himself. Cindy apologized, and FOX forgave her, but FOX said if she ever left him, he would kill himself. Cindy had asked FOX what he would do if she ever cheated on him and FOX told her that he would shoot her because that would mean that Cindy really didn't love FOX.
- f. FOX started to ask Cindy to send nude pictures and videos of herself and to engage in live video chatting in which Cindy got comfortable showing her whole-body nude. FOX would have Cindy give herself enemas while he watched as well as watching

her urinate and defecate. FOX would have Cindy masturbate with different items while he watched, as well as directing her to shove items up both her anus and vagina. When Cindy was "bad" FOX direct Cindy stab herself in the anus with a spoon until Cindy would bleed. *me*

- g. FOX directed Cindy *to* go to websites where she would show off her nude body to hundreds of people at a time because FOX wanted her to be a "slut."
- h. FOX had a plan for Cindy to move to Tennessee with him when she turned 18 and have as many children as she could for ten years because when she was 18 he would be 30.
- i. FOX told Cindy he wanted them to have children, so he could rape and have sex with those children. FOX showed Cindy at least one picture of child pornography he said he had obtained from the dark web.
- j. Cindy stated FOX owns fighting cocks, rabbits, and lives in a mobile home on some property in Knoxville, Tennessee.
- k. FOX told Cindy he has guns and knives.
- l. Cindy knew that FOX's dog was a red healer named "Tank." Cindy knew FOX's full name as "Dustin Schaud Fox" with a DOB of **/**1990.
- m. Cindy thought that FOX might have been communicating with another young female online that Cindy believed was a young black female, but Cindy did not know any other details.
- n. Cindy explained she and FOX would talk in multiple ways including different Facebook accounts and through different chatrooms. Cindy said FOX would send her pictures and videos of himself masturbating where FOX would ejaculate, as well as depictions of FOX urinating, because FOX has a "pee fetish."

ADDITIONAL INFORMATION PROVIDED BY VICTIM AND VICTIM'S MOTHER

7. Cindy also provided printed images of FOX that FOX had sent her. The Tennessee driver's license image on file for Dustin Schaud Fox of Knoxville, Tennessee, with the date of birth provided by Cindy, matches the images of FOX that have been provided to law enforcement officers by Cindy.

8. Cindy's mother provided detectives with the Waxahachie Police Department consent to examine Cindy's iPhone, tablet, and laptop computer.

9. Waxahachie Police Department Detective Glidewell examined Cindy's iPhone and identified multiple Facebook accounts that had been used in the communication between Cindy and FOX. These included the Facebook accounts of "ded.fox.98", "Lloyd.rammington.1", and "akim.acim.52."

10. Detective Glidewell applied for and received a search warrant for the three aforementioned Facebook accounts from the 40th Judicial District, Ellis County, Texas.

11. The results from the iPhone, tablet, laptop computer, and Texas search warrants have been provided to the Knoxville Police Department ICAC Task Force.

FACEBOOK SEARCH RESULTS

12. The Facebook materials for the account of "ded.fox.98", confirmed that this Facebook account belonged to FOX and was used to communicate with Cindy, including the following:

- a. The Facebook profile has a URL of <https://facebook.com/ded.fox.98> and has a profile picture of Dustin Schaud Fox wearing a black hoodie and black/brown glasses. The name listed on the account is "Tussin Fox".
- b. There were 389 images and 160 videos of Cindy posing nude and performing sexual acts present in the accounts linked_media folder.

- c. One of the videos is a color video that is 16 seconds in length. In the video Cindy is wearing a gray top and is sitting in front of the camera with her legs spread and her vagina exposed. She is attempting to insert what appears to be a yellow squash into her vagina. She can be heard screaming, "it's too big".
- d. There are several "selfie" photographs that FOX had apparently taken of himself, as well as images and video of FOX's penis both flaccid and erect, as well as urinating and ejaculating.
- e. There was Facebook messenger communication on November 13, 2016, showing FOX instructing Cindy to perform sexual acts while on her web cam while FOX was utilizing the user name "Tussin Fox:"

Author Tussin Fox (100010809723264)
Sent 2016-11-13 06:05:02 UTC
Body spread ur vag a sec ;3

- f. There were Facebook messenger communications that showed Cindy was posing nude on her web camera while FOX instructed her to perform sexual acts. For example, on November 28, 2016, the following exchange between FOX and Cindy occurred:

Author Tussin Fox (100010809723264)
Sent 2016-11-28 22:46:36 UTC
Body go on ur hands n knees o;

Author Tussin Fox (100010809723264)
Sent 2016-11-28 22:47:16 UTC
Body stick the thing in ur vag then leave it there and spread ur butt cheeks

Author Tussin Fox (100010809723264)
Sent 2016-11-28 22:48:19 UTC
Body can u ride it o;

Author Tussin Fox (100010809723264)
Sent 2016-11-28 22:51:31 UTC
Body suck ur toe again before i cum

- g. On November 30, 2016, Cindy, utilizing the user name "Mika Fox," sent a facial image of herself to FOX. The image depicted Cindy and had the date of 08/16/2011 embedded in the image. FOX responded as follows:

Author Tussin Fox (100010809723264)
Sent 2016-11-30 19:57:42 UTC
Body u were 10 in that pic

Author Mika Fox (100014132380100)
Sent 2016-11-30 19:57:52 UTC
Body yeah i was how did u know

Author Tussin Fox (100010809723264)
Sent 2016-11-30 19:57:56 UTC
Body it has date

Author Tussin Fox (100010809723264)
Sent 2016-11-30 19:58:08 UTC
Body i was 21

Based upon these statements, FOX was aware that Cindy was a minor when he was communicating with Cindy.

- h. On December 17, 2016, FOX, utilizing the user name "Tussin Fox," instructed Cindy how to pose on camera, told her to insert things inside of her vagina, and informed her that FOX was taking screen shots of the Webcam session.

Author Tussin Fox (100010809723264)
Sent 2016-12-17 09:33:18 UTC
Body can u put the thing back in ur vag o;

Author Tussin Fox (100010809723264)
Sent 2016-12-17 09:40:27 UTC
Body use ur wand moar

Author Tussin Fox (100010809723264)
Sent 2016-12-17 09:43:54 UTC

Body i think u should suck it now o;

Author Tussin Fox (100010809723264)

Sent 2016-12-17 09:47:17 UTC

Body i took a cpl screenshots lol

13. Within the images saved in the Facebook account obtained via the Texas search warrants was a "selfie" image which depicts a male's face and penis. The face of the male depicted in this image appears to be the same as the Tennessee driver's license for Dustin Schaud Fox of Knoxville, Tennessee, referenced above.

**ADDITIONAL INFORMATION LINKING THE FACEBOOK ACCOUNT TO
DUSTIN FOX OF KNOXVILLE**

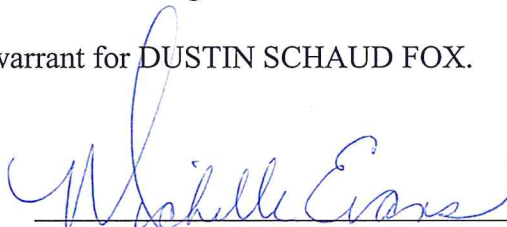
14. Within the Facebook search warrant return materials for the Facebook user name account ded.fox.98 there was an image present in the linked_media folder with a file name of unified_message_420112738359047. The image is a screen capture from an online racing simulation game named iRacing. The screen capture shows the user's name is Dustin Fox. According to KPD ICAC Investigator John Williams, who has been familiar with iRacing since 2009, iRacing is an Internet-based online auto racing game.

15. Investigator Williams was able to access www.iracing.com and locate the user profile for the account of Dustin Fox. Investigator Williams observed that the iRacing user profile for Dustin Fox was the same birthdate that was provided by Cindy, referenced above. Dustin Fox's username on iRacing was rAm and his location was listed as Knoxville, TN. Dustin Fox's iRacing profile picture was a dog, apparently of the blue heeler breed, which appears to be "Tank" that is present in several of the images from the aforementioned Facebook linked_media folder. According to the Facebook files obtained pursuant to the aforementioned search warrants in Texas, ^{the} ~~this~~ This appears to the same dog that Cindy indicated that FOX had threatened to kill if Cindy ended her relationship with FOX.

16. Investigator Williams observed that the email address on file for the iRacing account of Dustin Fox is rangeraqua420@gmail.com. This is the same email address used to register the Facebook account of ded.fox.98.

CONCLUSION

17. Based on the foregoing, there is probable cause to believe that DUSTIN SCHAUD FOX has violated 18 U.S.C. §§ 2251(a), which makes it a crime to knowingly use, persuade, induce, or entice a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct knowing or having reason to know that such visual depiction will be transported or transmitted in or affecting interstate commerce. Therefore, I respectfully request issuance of an arrest warrant for DUSTIN SCHAUD FOX.



Michelle Evans
Special Agent
Homeland Security Investigations

Sworn and subscribed before me

this 12th day of December, 2017.



Clifford C. Shirley
UNITED STATES MAGISTRATE JUDGE